IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 639 of 2007(A)

PETITIONER:
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1. S. MANOJ, AGED 23 YEARS,
S/O. G.SASIDHARAN NAIR, MANOJ BHAVAN,
KANJAVELI P.O., KOLLAM.

2. AJIMON A., AGED 28 YEARS,
S/O. J.P.AYYAPPAN, SARASWATHY NILAYAM,
CHONAMCHIRA, PERINADU P.O., KOLLAM.

3. A. SHAHUL HAMEED, AGED 54 YEARS,
S/O. ABDUL REHMAN KUNJU, ERAMCHEMPALLI HOUSE,
KAIVILA NORTH, KAIVILA P.O., THEVALAKKARA.

4. R. JAYANATH, AGED 35 YEARS,
S/O. K.REGHUNATHAN PILLA, REGHU VILASAM,
NEDUNGOLAM P.O., PARAVOOR, KOLLAM.

5. JYOTHISH KUMAR B., AGED 35 YEARS,
S/O. C.K.BALAN PILLAI, GOPAL NIVAS, OLAYIL,
THEVALLY P.O., KOLLAM.

6. PHILIP BENCY, AGED 44 YEARS,
S/O. A. ANTONY, BENCY DAIL, ST.THOMAS COLONY,
PORT, KOLLAM-6.

7. M.SURESH KUMAR, AGED 28 YEARS,
S/O.K.MURALEEDHARAN PILLAI, SINDHUB BHAVANAM,
MANGADU P.O., KOLLAM-15.

8. ARUN KUKMAR V., AGED 22 YEARS,
S/O. G.VIJAYA KUMAR, EDAVANATTU THARAYIL,
PALAKKAL, THEVALAKKARA P.O., KOLLAM.

9. P. GANGADHARAN PILLAI, AGED 55 YEARS,
S/O.V. PACHAN PILLAI, 201, CONTROLMENT SOUTH NAGAR
CONTROLMENT SOUTH, KOLLAM.

10. SEBASTIAN G., AGED 24 YEARS,
S/O. S.GEORGE, SEBIN VILLA, VADAKKUMBHAGAM,
ERAVIPURAM P.O., KOLLAM.

11. S. BAIJU, AGED 29 YEARS,
S/O. SIVASANKARA PILLAI, BAIJU BHAVANAM,
VADAKKUMBHAGAM, CHAVARA SOUTH P.O., KOLLAM.

12. BINU JOSEPH, AGED 32 YEARS,
PALACOD VEEDU, KIZHAKKETHERUVU,KOTTARAKKARA,KOLLAM

13. JUSTIN ANTONY, AGED 23 YEARS,
S/O. ANTONY, RAJU NIVAS (MARIYALAYAM),
NEENDAKARA P.O., KOLLAM-691 582.

14. S. HARISH KUMAR, AGED 43 YEARS,
S/O. N.SANKUNNY, LALITHALAYAM, C.P. JN.,
ULIYAKOVIL P.O., KOLLAM.

15. A. JAYAPRASAD, AGED 46 YEARS,
S/O. R.APPUKUTTAN PILLAI, PUTHUSERIL,
ADINADU SOUTH, KATTIL KADAVU P.O., KARUNAGAPPALLY,
KOLLAM.

16. SHELTEN SAULA P., AGED 32 YEARS,
S/O. S.PETER, MUDAVANGAL HOUSE, ERA 34,
ERAVIPURAM P.O., KOLLAM-691 011.

17. C. ANIL KUMAR, AGED 36 YEARS,
NEDIYATHU HOUSE, ARUKALICKAL WEST,
VAYALA P.O.-691 554, PARAKODE,PATHANAMTHITTA DIST.

18. SALIM M.S., AGED 34 YEARS,
S/O. SULAIMAN RAWTHER, OLICKAPATHALIL HOUSE,
PAZHAVANGADI P.O., ITTIYAPPARA, RANNI.

19. SUMAX S., AGED 29 YEARS,
S/O. SUDHAKARAN, KAIPPILAVIL HOUSE,
VETTIPPURAM EAST, PATHANAMTHITTA DISTRICT.

20. M. ASEEM, AGED 35 YEARS,
S/O. ALEAR MEERA SAHIB RAWTHER,NAINAKKAL PURAYIDAM
PETTA, PATHANAMTHITTA.

21. NISSAN B., AGED 33 YEARS,
S/O. BASHEER, SHAR MANZIL, PETTA, PATHANAMTHITTA.

BY ADV. SRI.GEORGE VARGHESE (MANACHIRACKEL)

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, THIRUVANANTHAPURAM.

2. THE KERALA STATE CO-OPERATIVE BANK LTD.,
P.B.NO.6514, CO BANK TOWERS, PALAYAM,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
MANAGING DIRECTOR.

3. THE KERALA STATE CO-OPERATIVE BANK LTD.,
KOLLAM BRANCH, ANANDAVALLISWARAM, COLLECTORATE P.O
REPRESENTED BY ITS BRANCH MANAGER.

4. THE KERALA STATE CO-OPERATIVE BANK LTD.,
PATHANAMTHITTA BRANCH, VILAVINAL RAJ TOWERS,
COLLEGE ROAD, PATHANAMTHITTA REPRESENTD BY ITS
BRANCH MANAGER.

5. REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.G.ARUN
BY ADV SRI.T.R.HARI KUMAR
BY GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

Petitioner's Exhibits

Ext.P1: True copy of appointment order dated 01-11-2004 issued by the second respondent to the 1st petitioner

Ext.P2: True copy of appointment order dated 04-11-2004 issued by the second rspondent to the 2nd petitioner

Ext.P3: True copy of appointment order dated 04-03-2005 issued by the second respondent to the 3rd petitioner

Ext.P4: True copy of appointment order dated 2-4-2005 issued by the second respondent to the 4th petitioner

Ext.P5: True copy of appointment order dated 04-3-2005 issued by the second respondent to the 5th petitioner

Ext.P6: True copy of appointment order dated 9-12-2005 issued by the second respondent to the 6th petitioner

Ext.P7: True copy of appointment order dated 04-03-2005 issued by the second respondent to the 7th petitioner

Ext.P8: True copy of appointment order dated 10-5-2005 issued by the second respondent to the 8th petitioner

Ext.P9: True copy of appointment order dated 18-3-2005 issued by the second respondent to the 9th petitioner

Ext.P10: True copy of appointment order dated 04-03-2005 issued by the second respondent to the 10th petitioner

Ext.P11: True copy of appointment order dated 9-12-2005 issued by the second respondent to the 11th petitioner

Ext.P12: True copy of appointment order dated 2-12-2005 issued by the second respondent to the 12th petitioner

Ext.P13: True copy of appointment order dated 13-5-2005 issued by the second respondent to the 13th petitioner

Ext.P14: True copy of appointment order dated 15-1-2005 issued by the second respondent to the 14th petitioner

Ext.P15: True copy of appointment order dated 9-12-2005 issued by the second respondent to the 17th petitioner

Ext.P16: True copy of appointment order dated 04-03-2005 issued by the second respondent to the 18th petitioner

Ext.P17: True copy of appointment order dated 13-8-2005 issued by the second respondent to the 19th petitioner

Ext.P18: True copy of appointment order dated 13-8-2005 issued by the second respondent to the 20th petitioner

Ext.P19: True copy of appointment order dated 13-8-2005 issued by the second respondent to the 21st petitioner

Ext.P20: True copy of Memorandum containing the terms and conditions of appointment issued by the Second respondent to the 1st petitioner

//True copy//

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S.SIRI JAGAN .J

W.P (C) No 639 of 2007

Dated this the 6th day of February 2007

JUDGMENT

The petitioners are daily collection agents working at Kollam and Pathanamthitta branch offices of the 2nd respondent Co-operative Bank . According to them they have been working as such, since 2004-2005 and on account of their efforts around 4,300 customers have availed loans from respondent Nos 3 and 4 Branch offices. They now apprehend that their services are going to be terminated by the 2nd respondent Bank. The petitioners also relies on Circular No.10/2005 wherein the Government had directed the Kerala State Co-operative Bank to take steps to regularise the services of collection agents . According to me these are matters which the petitioners should raise while pursuing their remedies provided under the Kerala Co-operative Societies Act and Rules 1969. Therefore without prejudice to the right of the petitioners to seek remedies available to them under the said Act and Rules, this writ petition is dismissed.

S.SIRI JAGAN .JUDGE

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